

Mailed: March 4, 2000



### **PATENT**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Donald E. Weder	) Dkt. No. 8403.519
Serial No.:	Not Yet Assigned	)
Filed:	Herewith	)
For:	DECORATIVE GRASS HAVING A THREE-DIMENSIONAL PATTERN AND METHOD FOR PRODUCING SAME	) ) )

Box Patent Application Commissioner for Patents Washington, D.C. 20231

#### **INFORMATION DISCLOSURE STATEMENT**

# List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

- 1. [X] Preliminary Statements
- 2. [X] FORM PTO-1449 (Modified)
- 3. [X] Statement as to Information Not Found in Patents or Publications
- 4. [X] Identification of Prior Application in Which Listed Information was already cited and for which no copies are submitted or need to be submitted

For: DECORATIVE GRASS HAVING A THREE-DIMENSIONAL

PATTERN AND METHOD FOR PRODUCING SAME

Atty. Dkt. No. 8403.519

5. [X] Copies of Listed Information Items Accompanying this Statement

6. [X] Identification of Person(s) Making this Information Disclosure Statement

## **Section 1.** Preliminary Statements

Applicant submits herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## Section 2. Form PTO-1449 (Modified)

- [X] A completed Form 1449 (Modified) is attached hereto.
- [ ] No Form 1449 (Modified) is attached.

# Section 3. Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))

Applicant admits that floral groupings, such as cut flowers, have been wrapped in the past with green paper and floral paper having a printed design (Weder brochure), that such floral groupings have

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been enclosed in sleeves, including sleeves having perforations such that a portion of the sleeve can be torn away, and that wall paper has been flocked to provide the three-dimensional patterns. However, Applicant is not aware of any prior art, including the listed patents which disclose, teach or even suggest a method for providing a decorative cover about a floral grouping, comprising: providing a sheet of material having a three-dimensional printed pattern thereon wherein the three-dimensional pattern is produced by application of a foamable ink composition to the sheet of material; providing a floral grouping having a bloom end and a stem end; and wrapping the sheet of material having the three-dimensional pattern printed thereon about the floral grouping to provide the decorative cover for the floral grouping.

Applicant also admits that flower pots containing live or artificial plants, have been wrapped in the past with floral paper having a printed design; that such flower pots have been enclosed in sleeves, including sleeves having perforations such that a portion of the sleeve can be torn away, and that wall paper has been flocked to provide a three-dimensional patterns. Applicant is not aware of any prior art, including the listed patents, which discloses, teaches or even suggests a method for forming a preformed pot cover for a flower pot, by: providing a flower pot; providing a sheet of material having a three-dimensional printed pattern thereon wherein the three-dimensional pattern is produced by application of a foamable ink composition to the sheet of material; forming the sheet of material into the preformed pot cover comprising a base and a skirt; and positioning the flower pot in the pot receiving space of the preformed pot cover leaving the open upper end substantially uncovered.

Applicant admits that decorative grass and packing materials have heretofore been made of paper and polymeric materials which are shredded and cut into segments.

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Applicant admits holograms are well known. Applicant admits holograms have been used on such things as credit cards and greeting cards. However, Applicant is not aware of any instance wherein decorative papers having a holographic design thereon have been used to produce decorative grass or decorative packing material.

# Section 4. Identification of Prior Application In Which Listed Information was already cited and for which no copies are submitted or need to be submitted

This application relies, under 35 U.S.C. §120, on the earlier filing date of prior application Serial No. 09/753,789, filed on January 3, 2001. The attached listed references were submitted to and/or cited by the Office in this prior application. Therefore, copies are not submitted herewith.

## Section 5. Copies of Listed Information Items Accompanying this Statement

The above listed references were submitted to and/or cited by the Office in the prior application on U.S. Serial No. 09/753,789. Therefore, copies are not submitted herewith.

## Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

[X] supplied by the inventor(s)

For: DECORATIVE GRASS HAVING A THREE-DIMENSIONAL

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- [ ] supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- [X] in the attorney's file

Respectfully submitted,

Richard A. Nelson, Reg. No. 45,995 DUNLAP, CODDING, & ROGERS, P.C. 9400 North Broadway, Suite 420 Oklahoma City, Oklahoma 73114 (405) 478-5344

Attorney for Applicant

Express Mail No. EV01019 → 0US Mailed: March 4, 2000 →

Substitute for form 1449A/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Filing Date	Herewith	þ
First Named Inventor	Donald E. Weder	1
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Examiner Name		
Attorney Docket Number	8403.519	

				U.S. PATENT DOCU	JMENTS		
Examiner	Cite	U.S. Paten	t Document	Name of Patentee or Applicant	Date of Publication of	Pages, Columns, Lines, Where Relevant	
Initials'	No.1	Number	Kind Code <sup>2</sup> ( <i>if known</i> )	of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	
-	1	RE31,780		Cooper et al.	12/25/1984		
	2	557,526		Egge	03/31/1896		
	3	732,889		Paver	07/07/1903	<u></u>	
	4	1,525,015		Weeks	02/03/1925		
	5	1,863,216		Wordingham	06/14/1932		
	6	1,978,631		Herrlinger	10/30/1934		
	7	2,032,386		Wood	03/03/1936		
	8	2,048,123		Howard	07/21/1936		
	9	2,170,147		Lane	08/22/1939		
	10	2,240,072		Hodgdon et al.	04/29/1941		
	11	2,278,673		Savada et al.	04/07/1942		
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	14	2,510,120		Leander	06/06/1950		
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	16	2,544,075		Ernst et al.	03/06/1951		
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	19	2,822,287		Avery	02/04/1958		
	20	2,846,060		Yount	08/05/1958		

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Examiner Initials	Cite '	Office <sup>3</sup>	Foreign Patent Do		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
	21		0,142,867	EPO		05/29/1985		
-	22		1,166,692	Ger		03/26/1964		
	23	-	1,204,647	UK		09/09/1970		_
	24		5,575,466	Jap		06/06/1980		_
	25		6,215,672	Jap		09/22/1987		-
	26		9,003,412	PCT		04/05/1990		╁
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet	2	of	9	Attorney Docket Number	8403.519		

	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS								
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2						
	а	Brochure, "The Simple Solution For Those Peak Volume Periods" Highland Supply Corp. ©1989							
	b	Speed Sheets & Speed Rolls Brochure, Highland Supply Corporation, ©1990, 2 Pgs.							
	С	LePlant SAC Advertisement, published prior to Sept. 26, 1987							
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				U.S. PATENT DOCL	MENTS	
Examiner Initials*	Cite No.1	U.S. Patent I	Document  Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	27	2,883,262		Borin	04/21/1959	
	28	2,989,828		Warp	06/27/1961	
	29	3,022,605		Reynolds	02/27/1962	
	30	3,027,263		Wanamaker	03/27/1962	
	31	3,094,810		Kalpin	06/25/1963	
	32	3,113,712		Kindseth	12/10/1963	
	33	3,121,647		Harris et al.	02/18/1964	
	34	3,130,113		Silman	04/21/1964	
	35	3,148,799		Meroney	09/15/1964	
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	37	3,215,330		Thomas	11/02/1965	
	38	3,231,645		Bolomey	01/25/1966	
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	43	3,431,706		Stuck	03/11/1969	
	44	3,475,191		Lodge et al.	10/28/1969	
	45	3,481,663		Greenstein	12/02/1969	
	46	3,508,372		Wallerstein et al.	04/28/1970	

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Examiner Initials*	Cite	F	oreign Patent Do		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T6
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Sheet 4 of 9

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Application Number	Not Yet Assigned			
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	U.S. PATENT DOCUMENTS								
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	47	3,514,012		Martin	05/26/1970				
	48	3,549,405		Schrenk et al.	12/22/1970				
	49	3,554,434		Anderson	01/12/1971				
	50	3,616,192		Sindair	10/26/1971				
	51	3,630,366		Parkinson et al.	11/16/1971				
	52	3,681,105		Milutin et al.	08/01/1972				
	53	3,749,629		Andrews et al.	07/31/1973				
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	56	3,865,664		Neumann	02/11/1975				
	57	3,922,440		Wegwerth et al.	11/25/1975				
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	59	3,950,290		Drury, Jr. et at.	04/13/1976				
	60	3,951,892		Drury, Jr. et al.	04/20/1976				
	61	3,962,503		Crawford	06/08/1976				
	62	4,054,697		Reed et al.	10/18/1977				
	63	4,055,613		Kapral	10/25/1977				
	64	4,068,030		Witman	01/10/1978				
	65	4,162,343		Wilcox et al.	07/24/1979				
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	Not Yet Assigned			
Filing Date	Herewith			
First Named Inventor	Donald E. Weder			
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	U.S. PATENT DOCUMENTS								
Examiner Initials*	als No 1 Number Kind Code <sup>2</sup>			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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	68	4,216,620		Weder et al.	08/12/1980				
	69	4,297,811		Weder	11/03/1981				
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	73	4,385,087		Roberts	05/24/1983				
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	81	4,546,875		Zweber	10/15/1985				
	82	4,646,388		Weder	03/03/1987				
	83	4,684,795		Colgate, Jr.	08/04/1987				
	84	4,690,843		Inagaki	09/01/1987				
	85	4,695,503		Liu et al.	09/22/1987				
	86	4,699,820		Herr, Jr. et al.	10/13/1987				

	FOREIGN PATENT DOCUMENTS									
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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Sheet	6	of	9	Attorney Docket Number	8403.519	

		·		U.S. PATENT DOCU	IMENTS	
Examiner Initials*	Cite No.1			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	89	4,786,533		Crass et al.	11/22/1988	
	90	4,801,014		Meadows	01/31/1989	
	91	4,844,849		Miller	07/04/1989	
	92	4,913,858		Miekka et al.	04/03/1990	
	93	4,960,638		Mukoyoski et al.	10/02/1990	
	94	4,963,218		Rainey	10/16/1990	
	95	5,003,915		D'Amato et al.	04/02/1991	
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	98	5,088,972		Parker	02/01/1992	
	99	5,089,318		Shetty et al.	02/18/1992	
	100	5,105,599		Weder	04/21/1992	
	101	5,111,637		Weder	05/12/1992	
	102	5,111,638		Weder	05/12/1992	
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<u> </u>	104	5,134,013		Parker	07/01/1992	
<b>-</b>	105	5,147,706		Kingman	09/15/1992	
	106	5,154,765		Armanini	10/01/1992	

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	Foreign Patent Document					Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T <sup>6</sup>
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				Application Number	Not Yet Assigned	
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STATEMENT BY APPLICANT				First Named Inventor	Donald E. Weder	
				Group Art Unit		
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Application Number	Not Yet Assigned			
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First Named Inventor	Donald E. Weder			
Group Art Unit				
Examiner Name				
Attorney Docket Number	8403.519			

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Application Number	Not Yet Assigned			
Filing Date	Herewith			
First Named Inventor	Donald E. Weder			
Group Art Unit				
Examiner Name				
Attorney Docket Number	8403.320			

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